

STATE OF UTAH
OFFICE OF THE LIEUTENANT GOVERNOR



GARY R. HERBERT
LIEUTENANT GOVERNOR

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**STATEMENT AND DETERMINATION BY THE LIEUTENANT GOVERNOR ON THE
VERIFIED PETITION ALLEGING VIOLATION OF ELECTION CODE**

"As widely reported in the media, my office received from Richard Ellis on May 30, 2008, a verified petition alleging violations of Utah's Election Code purported to have occurred in March 2008. In my June 6, 2008 statement, I announced that I would make no recommendation regarding possible further action on the petition until after the June 24, 2008 primary election.

With respect to petitions like the one submitted by Mr. Ellis, my responsibility is to gather information and to recommend to the Attorney General whether a special investigation is warranted. To date, I have gathered information and considered the necessity of a special investigation.

This, of course, is a very complex and weighty matter. Upon completing my limited information gathering, I am convinced that a special investigation, as outlined in statute, is necessary to collect and examine all of the relevant details and afford the proper weight to their credibility and veracity. Accordingly, I referred the matter to the Attorney General a short time ago for appointment of a special counsel and commencement of a special proceeding.

My staff and I will provide to the special counsel any requested information. While the special proceeding continues, the records maintained by my office will remain protected."

Gary R. Herbert
Lieutenant Governor